

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ARCELIO JOSEPH REYBOL,  
Plaintiff,

v.

SECRETARY OF STATE, et al.,  
Defendants.

Case No. 23-cv-04696-JCS

**ORDER TO SHOW CAUSE WHY  
CASE SHOULD NOT BE DISMISSED  
FOR LACK OF FEDERAL  
JURISDICTION**

United States District Court  
Northern District of California

Plaintiff, proceeding pro se, has filed a complaint in which he has sued the “California Secretary of State” and the “California District Attorney” in order to be place on the ballot as a candidate for the position of the governor of California. On his form complaint, Plaintiff has written “neither” in the section entitled “Jurisdiction,” which contains check boxes for diversity jurisdiction and federal question jurisdiction. Neither box is checked.

The Complaint reflects that Plaintiff is a resident of Hercules, California and Plaintiff confirmed at the December 15, 2023 case management conference that he has resided in Hercules for the last eight years. The named defendants also are citizens of California. Therefore, it appears that there is no diversity jurisdiction under 28 U.S.C. § 1332, which provides for federal jurisdiction only where the parties are citizens of different states and the amount in controversy exceeds \$75,000. Furthermore, Plaintiff has not identified any federal question in his complaint and therefore, it appears that there is no federal question jurisdiction under 28 U.S.C. § 1331.

Accordingly, Plaintiff is ORDERED TO SHOW CAUSE why this case should not be dismissed for lack of federal jurisdiction. Plaintiff may file a written response to this Order to

Show Cause addressing federal jurisdiction or, in the alternative, an amended complaint establishing federal jurisdiction over the case, within thirty (30) days.

**IT IS SO ORDERED.**

Dated: December 15, 2023



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JOSEPH C. SPERO  
United States Magistrate Judge

United States District Court  
Northern District of California